



# Inside ICE

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Assistant Secretary Michael Garcia, center, is joined by Gary Lang, left, Deputy Director, ICE Office of Investigations, and Alan Doody, right, Special Agent-in-Charge, Washington, D.C. at a news conference at ICE Headquarters in Washington, D.C. to announce Operation Community Shield.

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## ICE BEGINS COMMUNITY SHIELD WITH 103 MS-13 GANG ARRESTS

ICE agents have arrested 103 members of the violent street gang Mara Salvatrucha (MS-13) in six major U.S. cities as part of a new anti-gang initiative called "Operation Community Shield."

Assistant Secretary Michael Garcia announced on March 14 that since last month, teams of ICE special agents, working with federal, state and local counterparts in Washington, D.C., Baltimore, New York, Newark, Los Angeles, and Miami, began arresting MS-13 gang members on criminal and/or administrative charges.

The 103 individuals arrested to date are accused of violations that range from felony charges of re-entering the United

States after deportation, to violating state anti-gang injunctions, to violating the terms of their immigration status due to prior convictions for attempted murder, sodomy, assault, arson, weapons possession and narcotics violations. Roughly half of these 103 individuals have prior arrests or convictions for violent crimes. Several also have charges of murder pending against them. For example:

On March 13, ICE agents in Los Angeles arrested an individual who admitted he was one of the founding members and leaders of the MS-13 clique in Hollywood, Calif. A former member of the Salvadoran military, the suspect has prior convictions in the United States for rob-

*Continued on Page 2*



Operation  
Community  
**SHIELD**

# ICE TARGETS MARA SALVATRUCHA MS-13 GANG

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bery, possession of a dangerous weapon and mail theft. He was arrested on administrative immigration violations.

On March 10, ICE and the Long Branch, N.J., Police Department arrested an individual suspected of being the leader of the MS-13 clique in Long Branch. The suspect has a prior criminal history of aggravated arson, weapons possession, grand larceny and criminal possession of stolen property. He was arrested on administrative immigration violations.

Operation Community Shield is designed to disrupt, dismantle, and prosecute violent gang organizations by employing the full range of authorities and investigative tools available to ICE. Under this initiative, ICE is employing its broad immigration authorities (both criminal and administrative) against gang members, as well as its customs authorities in targeting narcotics smuggling, money laundering, and in seeking the forfeiture of assets.

This initiative also involves strong partnerships and cooperation with existing federal, state and local anti-gang efforts. Such partnerships are essential to the success of the initiative and to ensure officer safety during operations. The enforcement actions to date have been conducted in coordination with law enforce-

ment at the federal, state and local levels. ICE will also be working through its 54 Attaché offices overseas to cooperate with foreign governments also experiencing gang problems, particularly in Central America.

The initial target of Operation Community Shield is MS-13, which is one of the largest and most violent street gangs in the United States. The majority of MS-13 members are foreign nationals in this country illegally, making them subject to ICE's criminal and administrative immigration authorities. ICE coordinates all deportations with the foreign nations receiving these individuals.

At the same time, many MS-13 members derive income from the sale of illegal drugs and other contraband, making them subject to ICE's counter-drug, financial and other investigative authorities. Seizure and forfeiture of funds, property and other illegally derived assets will be another component of the initiative.

"Operation Community Shield is an important public safety initiative for the Department of Homeland Security that targets the proliferation of gang violence throughout the country," said Assistant Secretary Michael Garcia. "By bringing the full range of ICE's immigration and customs authorities in the fight against violent street gangs, we can take hundreds of gang members off the streets and have a significant impact on community safety."

Operation Community Shield builds on several prior anti-gang initiatives conducted by ICE agents in con-



**Tattoos on a man arrested by ICE agents in Miami clearly identify him as a member of Mara Salvatrucha 13 (MS-13), the violent street gang targeted by ICE in the initial phase of Operation Community Shield. MS-13 has its origins in the civil war fought in El Salvador. The gang first appeared in the United States in the late 1980s and has since spread to almost every major city in the United States.**

junction with federal, state and local authorities in specific jurisdictions.

In Charlotte, N.C., for example, ICE agents worked with local authorities throughout 2003 to arrest and remove from the United States more than 100 foreign-born MS-13 gang members. In the three years before this operation, approximately 20 homicides in Charlotte had been attributed to MS-13. Since the operation, there has been a dramatic decline in homicides attributed to MS-13.

Inside ICE is an e-newsletter produced by the ICE Office of Public Affairs to inform the public about the mission, operations and activities of U.S. Immigration and Customs Enforcement. Please send comments and contributions to:

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Editor

# ICE, WAL-MART REACH SETTLEMENT IN LANDMARK \$11 MILLION EMPLOYER SANCTIONS INVESTIGATION

**WASHINGTON, D.C.** - An ICE investigation into the hiring of illegal aliens by contractors that provided cleaning services to Wal-Mart Stores, Inc., ended March 18 with a landmark \$11 million civil settlement.

In addition, 12 corporations that provided contract janitorial services to Wal-Mart stores have agreed to forfeit an additional \$4 million to the United States and have agreed to enter corporate guilty pleas to criminal immigration charges.

Announced by Assistant Secretary Michael Garcia, the \$11 million civil settlement and the \$4 million criminal forfeiture constitute the two most significant enforcement actions in the field of immigration employment sanctions since the laws were first enacted in 1986. The \$11 million civil settlement alone is approximately four times larger than any other single payment received by the government in an illegal alien employment case.

"This case breaks new ground not only because this is a record dollar amount for a civil immigration settlement, but because this settlement requires Wal-Mart to create an internal program to ensure future compliance with immigration laws by Wal-Mart contractors and by Wal-Mart itself," said Assistant Secretary Garcia. "ICE is committed to not only bringing charges against companies that violate our nation's immigration laws, but also working with them to ensure that they have programs in place to prevent future violations."

The case was a nationwide investigation into alleged employment of illegal aliens by cleaning companies that provided contract services to Wal-Mart. It was conducted by ICE,

the U.S. Attorney's Office for the Middle District of Pennsylvania, with the assistance of the Pennsylvania Attorney General's Office and the Honesdale, Pa., Police Department.

The investigation evolved out of two prior immigration operations that began in 1998 and 2001, respectively. These operations targeted cleaning contractors that were hiring unauthorized workers from Eastern Europe.

The follow-up investigation culminated on October 23, 2003, with a series of immigration enforcement actions at some 60 Wal-Mart stores in 21 states. In these actions, ICE agents arrested approximately 245 illegal aliens employed by cleaning contractors and put these individuals into deportation proceedings.

Immediately following these enforcement actions, officials at Wal-Mart contacted federal authorities and pledged cooperation in the investigation into the employment practices of its cleaning contractors. Wal-Mart also renewed its commitment to ensure full compliance with federal immigration laws. The corporate commitment by Wal-Mart led to the discussions that resulted in the civil settlement.

Under the terms of this civil settlement, Wal-Mart has agreed to the entry of a consent decree that:

- Directs Wal-Mart to make a payment of \$11 million through the United States Attorney's Office;
- Permanently enjoins Wal-Mart from knowingly hiring, recruiting and continuing to employ unauthorized aliens workers;



**An ICE investigation led to a landmark \$11 million settlement agreement with Wal-Mart Stores, Inc.**

- Directs Wal-Mart to establish a means to verify that independent contractors are also taking reasonable steps to comply with immigration laws;
- Directs Wal-Mart to provide, over the next 18 months, all of its store managers and future store managers with training regarding immigration employment laws while complying with pertinent anti-discrimination laws;
- Directs Wal-Mart to maintain its own pre-existing program of taking reasonable steps to ensure that Wal-Mart employees are authorized to work in the United States, while complying with pertinent anti-discrimination laws;
- Directs Wal-Mart to continue cooperation in the investigation of the alleged illegal employment.

The civil settlement does not entail any admission of wrongdoing by any party.



## ICE DEPORTS ALIENS WHO ABUSED CHILDREN

ICE agents, in separate cases around the country, have arrested and deported three men who sexually abused children.



**Rabago-Magana**

In Bloomington, Minn., ICE agents deported an illegal alien who had been convicted of raping a four-year-old boy in Minneapolis.

Julio Cesar Rabago-Magana, 20, a citizen of Mexico, entered the United States as a visitor but remained in the country illegally after his visa expired.

In September 2002, he asked a boy to help him carry some boxes to a basement. The boy agreed, but when they entered the room Rabago-Magana locked the door and sexually assaulted the victim.

Rabago-Magana pleaded guilty to first-degree criminal sexual conduct. ICE special agents arrested Rabago-Magana at his St. Paul home. A federal immigration judge ordered him

removed March 10 and ICE officers deported him to Mexico March 17.

In the second case, a previously deported child rapist was arrested again by ICE agents in Idaho Falls, Idaho and again deported March 18.



**Lopez-Herrera**

also includes felony convictions for aggravated assault and a drive-by shooting.

ICE special agents made this latest arrest of Lopez February 16 following a routine check of Idaho State registered sex offenders.

In the third case, ICE deported a man convicted in 2000 for repeatedly sexually abusing a nine-year-old child in New York.

Mario Rojas-Villanueva entered the United States in November 1991 as

a legal immigrant. He was arrested Feb. 17, 2000, and convicted on July 31, 2000, of sexually abusing the child over several months.

He was ordered removed by an immigration judge on August 27, 2001. ICE officers took him into custody on February 28, after his release from a New York State prison, and deported him to Honduras on March 17.

These removals are part of Operation Predator, a nationwide ICE initiative to protect children from sexual predators. Since Operation Predator was launched in July 2003, ICE agents have arrested more than 5,100 individuals

ICE encourages the reporting of suspected child predators and any suspicious activity through its toll-free hotline at **1-866-DHS-2ICE**. ICE investigators staff this hotline around the clock. Suspected child sexual exploitation or missing children may be reported to the National Center for Missing & Exploited Children, an Operation Predator partner, at **1-800-843-5678** or <http://www.cybertipline.com>.

## ICE NABS MAN IN \$23M SYRIAN MONEY SCHEME

**WASHINGTON, D.C.** — ICE agents arrested a man March 15 for illegally moving more than \$23 million in funds to Syria and other nations.

Louay Habbal was arrested after a federal indictment charged him with operating Mena Exchange, an unlicensed money transmittal business located at his residence. ICE agents arrested Habbal without incident upon his arrival at Dulles International Airport near Washington, D.C., on a flight from Damascus, Syria.

“This case demonstrates the threat

posed by unlicensed money transmittal businesses,” said Allan Doody, ICE Special Agent-in-Charge for Washington, D.C. “Any criminal or terrorist can come to these underground businesses and have their millions wired anywhere in the world in a matter of seconds with no questions asked.”

According to the indictment, Habbal received funds from customers nationwide and deposited these funds in bank accounts in Virginia and elsewhere. After taking a portion of these monies as a fee, Habbal then transferred the remaining funds to other entities for further transfer to

individuals overseas that had been designated by his U.S. customers.

In total, Habbal moved more than \$23 million to Syria and elsewhere around the world. ICE agents seized more than \$100,000 from the company’s bank accounts and assets.

The 2001 USA PATRIOT Act requires money transmittal businesses be licensed by the federal government and/or applicable state governments. Since 2001, ICE has initiated more than 260 investigations resulting in about 120 arrests, 130 indictments and \$23 million in seizures.

## ICE DEPORTS MAN WHO TRIED TO MURDER NEW YORK SHOP OWNER

**NEW YORK, N.Y.** – ICE officers have deported a criminal alien whose attempted murder of a shop owner failed only because his gun misfired.



**Marvin Toppin**

Marvin Toppin had been in ICE custody in the Pike County Correctional Facility in Pennsylvania since January, after his release from a New York State Department of Corrections prison. ICE Office of Detention and Removal Operations officers removed him from the United States March 15, under escort, to Trinidad.

Toppin was convicted of attempted murder and robbery in August 1998. Toppin was robbing a store in New York State when he pointed a loaded .38 caliber handgun at the shop owner's head and pulled the trigger twice, but the gun failed to fire. While fleeing, Toppin fired again at the owner, putting a bullet in his chest. Toppin was sentenced to five to 10 years in prison for the crime. He also has convictions for criminal possession of a weapon and was twice arrested for possession of marijuana.

Toppin is an illegal alien who entered the United States in August 1993 using a fraudulent passport and a visitor's visa. Federal officers identified Toppin as an illegal alien while he was serving time in state prison, and he was placed in removal proceedings. Toppin was ordered deported by an immigration judge in February 1999.

## ICE RETURNS MONEY TO ELDERLY VICTIM OF TELEMARKETING SCAM

**RENO, Nev.** – ICE agents on March 15 returned \$2,300 to a 78-year-old woman victimized by telemarketing con artists operating out of Canada.

After presenting Carol Magnies of Sparks, Nev., with her check, John Colledge, ICE's Resident Agent-in-Charge in Reno, warned the community to be on their guard about these scams, which have bilked people – especially senior citizens in the United States – out of tens of millions of dollars.

The returned money – a fraction of the \$85,000 Carol Magnies believes she lost – was recovered by investigators as part of Project COLT – a multi-agency U.S.-

Canada initiative targeting telemarketing fraud. The enforcement effort involves ICE, the Royal Canadian Mounted Police, the Federal Bureau of Investigation and the U.S. Postal Inspection Service.

Each year, Canadian-based fraudulent telemarketers generate hundreds of millions of dollars in proceeds from fictitious scams by specifically targeting U.S. citizens. Scammers identify themselves as lawyers, Customs officials, police officers or lottery company officials, falsely telling victims they have won large sums of money and that the winnings will be released only after payment of service charges, taxes, duties and other transfer costs.

Canadian telemarketing fraud can be reported by contacting ICE at **1-866-DHS-2ICE** or **PHONEBUSTERS** at **(888) 495-8501** or **www.phonebusters.com**.

## RECORD-SETTING SEVEN TON POT SEIZURE FOUND IN TEXAS TRUCKS

**HOUSTON, Texas** – An ongoing multi-agency investigation headed by ICE led to the seizure of two semi-trucks loaded with 13,421 lbs. of marijuana and the arrest of one man March 14.



**Shown above is some of the almost seven tons of marijuana seized by ICE in Houston.**

The investigation led ICE agents to a truck yard where they discovered 9,100 lbs. of marijuana inside one semi-truck. A search warrant obtained by ICE agents for the second truck resulted in seizing an additional 4,268 lbs. of marijuana.

“This investigation resulted in one of the largest marijuana seizures in Houston, if not in the state of Texas,” said Joseph R. Webber, ICE special agent-in-charge in Houston.

The street value of the seizure is in excess of \$6 million. The marijuana was discovered hidden inside the drywall compartments and flat bed liners of the trucks. ICE agents believe the drugs are linked to a large scale smuggling organization that distributed narcotics from the Houston area to other cities throughout the United States. ICE in Houston is part of a multi-agency narcotics and money-laundering task force that also includes the Houston and Pasadena, Texas Police Departments, the Harris County, Texas Sheriff's Department and the Drug Enforcement Administration.

## Inside ICE

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## U.S. Immigration and Customs Enforcement

U.S. Immigration and Customs Enforcement (ICE) was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of five integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.

### ***Dino Bones***



*Reporters in Bangkok, Thailand examine some of the hundreds of pounds of priceless dinosaur fossils recovered in a joint ICE-Royal Thai Police (RTP) investigation into the illegal sale of antiquities and fossils. The case began after the ICE Attaché in Bangkok obtained information that a Thai man named Piriya Vachajitpan was selling Thai and Cambodian antiquities online and illegally shipping them to the United States. Working undercover, ICE and RTP agents built the case against Vachajitpan, who was arrested by Thai officials. About 1,300 lbs. of fossils were recovered, some as much as 165 million years old.*